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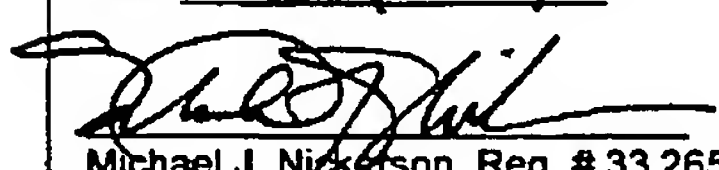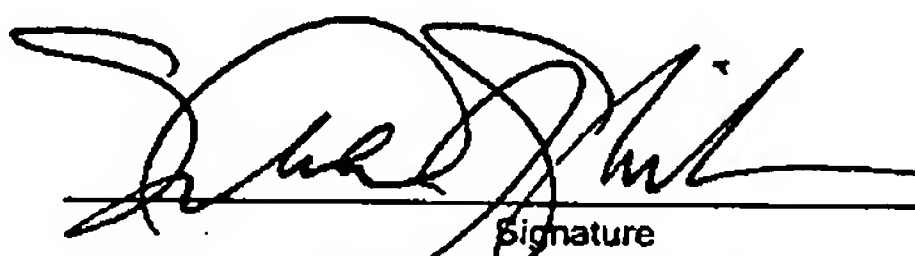
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PRE-APPEAL BRIEF REQUEST FOR REVIEW	Docket Number (Optional) A1651-US-NP

Certificate of Facsimile Transmission I hereby certify that the correspondence listed below is being facsimile transmitted to the United States Patent and Trademark Office, on July 15, 2005, to telephone number 571-273-8300. Date July 15, 2005 Michael J. Nickerson, Reg. # 33,265	Application Number **10/042,987**	Filed **January 11, 2002**
	First Named Inventor **Robert R. BUCKLEY**	
	Art Unit **2157**	Examiner **S. Halim**

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
        Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
    See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
    (Form PTO/SB/96)

☒ attorney or agent of record.
    Registration number _Reg. # 33,265_

☐ attorney or agent acting under 37 CFR 1.34.

    Registration number if acting under 37 CFR 1.34 _____

Signature

Michael J. Nickerson
Typed or printed name

585-899-3970
Telephone number

July 15, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Arguments to be Considered by Pre-Appeal Brief Conference Panel

A. Rejection under 35 U.S.C. §112, first paragraph

Claims 7 and 12 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

The Examiner alleges that the originally filed specification fails to enable one of ordinary skilled in the art to make and/or use rasterized and non-rasterized documents. This position is respectfully traversed.

The originally filed specification clearly teaches, at page 3, lines 3-6, the rasterization of a document. More specifically, the originally filed specification, at page 3, lines 3-6, states: "The server retrieves and <u>converts the requested documents to a raster image</u> that is then compressed according to attributes based on information received from the client device in the initial document request."

Moreover, the originally filed specification clearly teaches, at page 5, lines 3-7, the rasterization of a document. More specifically, the originally filed specification, at page 5, lines 3-7, states: "The server retrieves and <u>converts the requested documents</u>, if they have not been previously converted, <u>to a raster image</u> that is then compressed according to attributes based on information received from the client device in the initial document request."

Lastly, the originally filed specification clearly teaches, in the Abstract, the rasterization of a document. More specifically, the originally filed specification, in the Abstract, states: "The server retrieves and converts <u>the requested documents to a raster image</u> that is then compressed according to attributes based on information received from the client device in the initial document request."

As clearly demonstrated above, the originally filed specification clearly provides support for the rasterization of a document. Also, the originally filed specification clearly provides support for non-rasterized documents as a non-rasterized document is a document that has not been rasterized.

It is further submitted that rasterization is the act of converting a document from a page definition language (e.g., PostScript) to an arrangement of pixels on the page or

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screen; i.e., rasterizing is the interpretation of an image from a set of digital codes into an actual visual representation. This technique or process that is well-known to those skilled in the art of reproducing documents into a visual form.

For example, US Patent Numbers 5,796,411; 5,768,489; 5,533,172; and 5,412,483 are just various examples of the hundreds of US Patents that teach rasterization.

It is not required by 35 U.S.C. §112, first paragraph, that the specification teach the skilled artisan what is already readily known in the art, but to provide enough information to enable one of skill in the art to make and/or use the presently claimed invention.

As demonstrated above, the originally filed specification clearly provides support for the rasterization of a document. Moreover, those skilled in the art of reproducing documents into a visual form are readily knowledgeable to understand how to make and/or use a rasterized document, as set forth in the presently pending claims.

Accordingly, in view of the remarks set forth above, the Pre-Appeal Brief Conference Panel is respectfully requested to reconsider and instruct the Examiner to withdraw the rejection under 35 U.S.C. §112, first paragraph.

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B. Rejection under 35 U.S.C. §102(b) over Dekel et al.

Claims 7-10 and 12-15 have been rejected under 35 U.S.C. §102(b) as being anticipated by Dekel et al. (US-A-6,314,452). This rejection under 35 U.S.C. §102(b) over Dekel et al. is respectfully traversed.

Initially, by the Examiner's own admission, the present rejection under 35 U.S.C. §102(b) can only stand if the Examiner ignores the claim limitations directed to rasterization. Since the Examiner has improperly ignored expressed limitations in a claim, the present rejection under 35 U.S.C. §102(b) is invalid and moot. Therefore, by the Examiner's own admission, Dekel et al. fails to anticipate claims 7-10 and 12-16 under 35 U.S.C. §102(b).

However, to expedite the prosecution, the Applicants will reiterate the shortcomings of the teachings of Dekel et al.

The present invention, as set forth in independent claim 7, is directed to a method for viewing, on a client-side device, documents requested from a server-side device, the client-side device and server-side device having a communication link therebetween. The claimed method generates a request from a client-side device to be sent to a server-side device, the request identifying a non-rasterized document, a section of the non-rasterized document to be sent to the client-side device, and a compression format corresponding to the client-side device. As set forth in independent claim 7, the server-side device retrieves, in response to receiving the request from the client-side device, the requested non-rasterized document and identifies the requested section of the requested non-rasterized document; rasterizes the identified section of the requested non-rasterized document; compresses the rasterized section of the requested non-rasterized document into a compressed image having the identified compression format corresponding to the client-side device; and communicates the compressed image to the client-side device. The client-side device decompresses the received compressed image and displays the decompressed image.

As clearly set forth above, the presently claimed invention, as set forth in independent claim 7, recites that the server-side device rasterizes the identified section of the requested non-rasterized document before compressing the (rasterized) section

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of the requested non-rasterized document into a compressed image having the identified compression format corresponding to the client-side device.

In contrast, Dekel et al. clearly teaches that the identified section of the requested document is compressed, without any rasterization, into a wavelet compressed image. Thus, Dekel et al. fails to teach that the server-side device rasterizes the identified section of the requested non-rasterized document before compressing the (rasterized) section of the requested non-rasterized document into a compressed image having the identified compression format corresponding to the client-side device, as set forth in independent claim 7.

With respect to independent claim 12, the present invention is directed to a method for viewing, on a client-side device, documents requested from a server-side device, the client-side device and server-side device having a communication link therebetween. The claimed method generates a request from a client-side device to be sent to a server-side device, the request identifying a non-rasterized document and a compression format corresponding to the client-side device. As set forth in independent claim 12, the server-side device retrieves, in response to receiving the request from the client-side device, the requested non-rasterized document; rasterizes the requested non-rasterized document; compresses the rasterized document into a compressed image having the identified compression format corresponding to the client-side device; and communicates the compressed image to the client-side device. The client-side device decompresses the received compressed image and displays the decompressed image.

As clearly set forth above, the presently claimed invention, as set forth in independent claim 12, recites that the server-side device rasterizes the requested non-rasterized document before compressing the (rasterized) requested document into a compressed image having the identified compression format corresponding to the client-side device.

In contrast, Dekel et al. clearly teaches that the requested document is compressed, without any rasterization, into a wavelet compressed image. Thus, Dekel et al. fails to teach that the server-side device rasterizes the requested non-rasterized document before compressing the (rasterized) requested document into a compressed

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image having the identified compression format corresponding to the client-side device, as set forth in independent claim 12.

Accordingly, in view of the remarks set forth above, the Pre-Appeal Brief Conference Panel is respectfully requested to reconsider and instruct the Examiner to withdraw the rejection under 35 U.S.C. §102(b).

CONCLUSION

Accordingly, in view of all the reasons set forth above, the Pre-Appeal Brief Conference Panel is respectfully requested to reconsider and instruct the Examiner to withdraw the present rejections.

Respectfully submitted,

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